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## **PRESS RELEASE**

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**FOR IMMEDIATE RELEASE**  
**October 6, 2003**

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# **KAYENTA MAN PLEADS GUILTY TO THEFT OF TRIBAL PROPERTY**

**PHOENIX, ARIZONA** -- The United States Attorney's Office for the District of Arizona announced that on October 3, 2003, NICKOLAS GREER, 03/02/42, of Kayenta, Arizona, pled guilty to Theft of Tribal Property, a Class A misdemeanor, in federal district court in Phoenix, Arizona.

GREER, had been charged with violating Title 16 of the United States Code, Section 470ee(a), Archaeological Resource Protection Act (ARPA). Sometime in the Fall of 2001, Greer dug and partially excavated a known archaeological site, namely a midden containing pottery and at least one human burial which is associated with a cliff dwelling, both of which date to no later than AD 1150 to AD 1250-75. The archaeological site is located northwest of Kayenta, Arizona. Greer removed several items from the site, including a whole pottery vessel, a broken pottery vessel and a mano.

The Navajo Nation, Bureau of Indian Affairs and the United States Attorney's office view the stealing of artifacts, cultural material and the desecration of archaeological sites as a very serious matter that continues to plague the American West. These agencies will continue to work together to protect these historical and sacred cultural sites for further generations and to ensure that the people who desecrate these sites are prosecuted. Looting of archaeological sites may result in a variety of criminal charges under ARPA

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as well as charges for violating Title 18, United States Code, Section 1163, Theft of Tribal Property; Title 18, United States Code, Section 641, Theft of Government Property; and Title 18, United States Code, Section 1361, Destruction of Government Property.

As part of his plea agreement, GREER agreed to pay restitution in the amount of \$8, 592.15 to the Navajo Nation. GREER also consented to the forfeiture of his Polarus 4X4 ATV, which he used to access the site he looted.

A conviction for Theft of Tribal Property, a Class A Misdemeanor, carries a maximum penalty of one year, a \$100,000 fine or both.

Sentencing is set before Judge Martone on January 5, 2003.

The investigation in this case was conducted by the Bureau of Indian Affairs and the Navajo Nation Department of Law Enforcement.

The prosecution is being handled by Kimberly M. Hare, Assistant United States Attorney, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-03-332-PCT-FJM  
RELEASE NUMBER: 2003-176

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